

SUMMARY OF BLUE STATE PROCEDURAL OBJECTIONS

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The people of the State of Rhode Island believe that public officials and employees must adhere to the highest standards of ethical conduct, respect the public trust and the rights of all persons, be open, accountable and responsive, avoid the appearance of impropriety and not use their position for private gain or advantage. Such persons shall hold their positions during good behavior.	21
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""No person in this State shall be capable of holding or exercising more than one of the following offices at the same time: Governor, Lieutenant-Governor, Justice of the Supreme Court, Treasurer of the State, member of the Senate, member of the House of Representatives, Surveyor-General, or Sheriff. Nor shall any person holding any office of profit or trust under the authority of Congress, other than a member of the commissioned or enlisted personnel in the reserve components of the armed forces of the United States while not on extended active duty, be eligible to any appointment in the Legislature, or to any executive or judiciary office under the State. ""	22
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Colorado

Residency Requirement

No statutory requirement or no violation.

Dual-Office Holding Statute

Section 1-4-501(2) No person is eligible to be a candidate for more than one office at one time; except that this subsection (2) does not apply to memberships on different special district boards. This subsection (2) shall not prohibit a candidate or elected official of any political subdivision from being a candidate or member of the board of directors of any special district or districts in which he or she is an eligible elector, unless otherwise prohibited by law. Colo. Rev. Stat. Ann. § 1-4-501(2) (West). Likewise, under Article V, section 8 of the Colorado Constitution: ""No senator or representative shall, while serving as such, be appointed to any civil office under this state; and no member of congress, or other person holding any office (except of attorney-at-law, notary public, or in the militia) under the United States or this state, shall be a member of either house during his continuance in office." Colo. Const. art. V, s. 8. Every presidential elector of this state who attends and votes for those officers at the time and place appointed by law is entitled to receive the sum of five dollars per day for each day's attendance at the election and fifteen cents per mile for each mile traveled in going to and returning from the place where the electors meet, by the most usual route traveled, to be paid out of the general fund. The controller shall audit the amount and draw a warrant for the same. Colo. Rev. Stat. Ann. § 1-4-305 (West).

Elector Name	Violation
Sen. Rollie Heath	CO State Senator
Hon. Polly Baca	CO State Representative

Connecticut

Residency Requirement

No statutory requirement or no violation.

Dual-Office Holding Statute

Article III, section 11 of the Connecticut Constitution states: ""No member of the general assembly shall, during the term for which he is elected, hold or accept any appointive position or office in the judicial or executive department of the state government, or in the courts of the political subdivisions of the state, or in the government of any county. No member of congress, no person holding any office under the authority of the United States and no person holding any office in the judicial or executive department of the state government or in the government of any county shall be a member of the general assembly during his continuance in office.""
Conn. Const. art. III, s. 11.

[THIS DOES NOT SEEM TO BAR MEMBERS OF THE GENERAL ASSEMBLY FROM SERVING AS ELECTORS PER SE.] In addition, section 9-177: Each elector of president and vice president of the United States shall receive ten dollars a day when attending upon the duties of his appointment, for which the comptroller, on presentation to him of the certificate of the chairman of such electors, shall draw an order on the treasurer. Conn. Gen. Stat. Ann. 9-177 (West). Also, under section 1-1c(a), ""Whenever the term 'electors' occurs in the general statutes or any special act, it shall be construed to mean an elector or electors who have attained the age of twenty-one years, except where said term is used with reference to admission to, or exercise of, the privilege of voting in an election, or in a primary or caucuse of a political party and except where said term is used as a qualification for elective or or appointive municipal office. Conn. Gen. Stat. Ann. 1-1c(a) (West). According to an attorney general opinion from 1971, section 1-1c(a) has been interpreted to require Presidential Electors to have attained twenty-one years of age before they are eligible to serve as electors. See 1971 WL 21794 (Conn.A.G., 7/20/71). Otherwise, Article VI, section 10 of the Connecticut Constitution states that ""Every elector who has attained the age of eighteen shall be eligible to any office in the state, but no person who has not attained the age of eighteen shall be eligible therefor, except in cases provided for in this constitution."

Elector Name	Violation
DEBATABLE: Tyisha Walker	City of New Haven Board of Alders, President
Christopher Rosario	CT State Representative
Robert Godfrey	CT State Representative

District of Columbia

Residency Requirement

No statutory requirement or no violation.

Dual-Office Holding Statute

"No person shall hold the office of member of the House of Delegates, unless he or she holds no public office (other than his or her employment in and position as a member of the House of Delegates), for which he or she is compensated in an amount in excess of his or her actual expenses in connection therewith... A member of the House of Delegates shall forfeit his or her office upon failure to maintain the qualifications required by this section.

D.C. Const. Art. III Sec. 302(4).

"(b) No person who is holding office of Mayor, Delegate, Chairman or member of the Council, or member of the School Board shall, while holding such office, be eligible as a candidate for any other of such offices in any primary or general election, unless the term of the office which he holds expires on or prior to the date on which he would be eligible, if elected in such primary or general election, to take the office with respect to which such election is held.***

HISTORY OF D.C. Code Ann. §10(b), Home Rule Act Title VII

[NOTE: THIS SECTION REFERS TO ""PUBLIC OFFICE,"" NOT ""ELECTED OFFICE.""" THERE IS A DEFINITION OF ""ELECTED OFFICIAL"" IN SECTION 1-1001.02(13), BUT THAT DOES NOT INCLUDE A PRESIDENTIAL ELECTOR. OTHER CONSTITUTIONAL PROVISIONS IN ARTICLES III AND IV OF THE D.C. CODE INDICATE THAT THE MAYOR AND THE REPRESENTATIVES TO CONGRESS CANNOT HOLD ANY OTHER ""PUBLIC OFFICE,"" BUT THEY CAN SERVE AS A DELEGATE TO ANY CONVENTION WHERE THE PRESIDENTIAL ELECTORS WILL BE ELECTED. THIS LANGUAGE SEEMS TO BAR THEM FROM SERVING AS AN ELECTOR THEMSELVES. ALSO, THE DEMOCRATIC PARTY SELECTS THE ELECTORS. THERE WAS NOTHING I COULD FIND IN THE RULES THAT DISCUSSED THE DUAL OFFICE ISSUES OTHER THAN WHAT IS STATED IN THE CONSTITUTION AS SET FORTH ABOVE. FINALLY, THERE WAS NOTHING THAT INDICATED WHETHER THE ELECTORS ARE PAID OR REIMBURSED FOR THEIR SERVICES.]"

Elector Name	Violation
Anita Bonds	Councilmember at large
DEBATALE: Jack Evans	Councilmember of ward. Unsure about the residency - suspect he is renting from the Chatel Real Estate. No public records available to substantiate that claim.
Franklin Garcia	US Representative (Shadow)

Illinois

Residency Requirement

"(10 ILCS 5/3-1) (from Ch. 46, par. 3-1)

Sec. 3-1. Every person (i) who has resided in this State and in the election district 30 days next preceding any election therein, or (ii) who has resided in and is registered to vote from the election district 30 days next preceding any election therein and has moved to another election district in this State within said 30 days and has made and subscribed to the affidavit provided in paragraph (b) of Section 17-10 of this Act, or (iii) who has resided in and is registered to vote from the election district 30 days next preceding any election therein and has not moved to another residence but whose address has changed as a result of implementation of a 9-1-1 emergency telephone system and has made and subscribed to the affidavit provided in subsection (a) of Section 17-10, and who is a citizen of the United States, of the age of 18 or more years is entitled to vote at such election for all offices and on all propositions. Any military establishment within the boundaries of Illinois is ""in this State"" even though the government of the United States may have exclusive jurisdiction over such establishment.

(Source: P.A. 90-664, eff. 7-30-98.)

10 ILCS 5/3-1 (Illinois Compiled Statutes (2016 Edition))

""(10 ILCS 5/4-2) (from Ch. 46, par. 4-2)

Sec. 4-2. No person shall be entitled to be registered in and from any precinct unless such person shall by the date of the election next following have resided in the State and within the precinct 30 days and be otherwise qualified to vote at such election. Every applicant who shall be 18 years of age or over on the day of the next election shall be permitted to register, if otherwise qualified.

To constitute residence under this Act, Article 3 is controlling."""

10 ILCS 5/4-2 (Illinois Compiled Statutes (2016 Edition)) (see also Sec. 5-2 and 6-2)

""The State convention of each political party, if the party chooses to hold a State convention, has power to make nominations of candidates of its political party for the electors of President and Vice President of the United States""

10 ILCS 5/7-9(b).

[ALTHOUGH I COULD FIND NO DEMOCRATIC PARTY RULE IN ILLINOIS THAT REQUIRED PRESIDENTIAL ELECTORS TO COME FROM ANY PARTICULAR CONGRESSIONAL DISTRICT, I DID FIND AN ARTICLE FROM THE STATE JOURNAL-REGISTER DATED AUGUST 22, 2016, WHICH INDICATED THAT THE PARTY'S CENTRAL COMMITTEE DID, IN FACT, SELECT ONE ELECTOR FROM EACH CONGRESSIONAL DISTRICT PLUS TWO AT-LARGE ELECTORS. THE ARTICLE DID NOT DISCLOSE OR DISCUSS WHICH ELECTORS WERE TIED TO A DISTRICT AND WHICH WERE AT LARGE, BUT THAT MAY BE ON THE COA? THE ARTICLE IS LOCATED AT www.sj-r.com/news/20160822/illinois-democrats-choose-electors-local-party-officials-anxious-for-woman-president, last checked 1/3/2017.]"

Elector Name	Violation
DEBATABLE: Flint Taylor	CD5. Several addresses are CD5.

Dual-Office Holding Statute

"No member of the General Assembly shall receive compensation as a public officer or employee from any other governmental entity for time during which he is in attendance as a member of the General Assembly.

No member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public office which shall have been created or the compensation for which shall have been increased by the General Assembly during that term.

Ill. Const. Art. 4 § 2 (e)"

Elector Name	Violation
Silvana Tabares	IL State Representative
Barbara Flynn Currie	IL State Representative
Michelle Mussman	IL State Representative
Carol Ammons	IL State Representative

Maine

Residency Requirement

No statutory requirement or no violation.

Dual-Office Holding Statute

"No member of Congress, nor person holding any office under the United States (post officers excepted) nor office of profit under this State, justices of the peace, notaries public, coroners and officers of the militia excepted, shall have a seat in either House while a member of Congress, or continuing in such office. ""

Me. Const. Art. IV, Pt. 3, § 11

Elector Name	Violation
DEBATALE: Betty Johnson	Betty Johnson is a County Commissioner for Waldo County; http://www.waldocountyme.gov/comm/index.html

Minnesota

Residency Requirement

No statutory requirement or no violation.

Dual-Office Holding Statute

Pursuant to Article IV, section 5 of the Minnesota Constitution: "No senator or representative shall hold any other office under the authority of the United States or the state of Minnesota, except that of postmaster or of notary public. If elected or appointed to another office, a legislator may resign from the legislature by tendering his resignation to the governor." Minn. Const. art. IV, s. 5. The attorney general has created a compatibility guide, but it does not cover the question of whether a senator or representative may serve as a presidential elector, however. But, the plain language of the statute would seem to prohibit holding those two offices at the same time. Also, pursuant to section 204B.32 of the Minnesota Statutes: "The secretary of state shall pay the compensation for presidential electors and all necessary expenses incurred by the secretary of state in connection with elections."

Elector Name	Violation
Mary Murphy	MN State Representative. http://www.house.leg.state.mn.us/members/members.asp?id=10444

Nevada

Residency Requirement

No statutory requirement or no violation.

Dual-Office Holding Statute

"1. Each major political party shall, at the state convention of the major political party held in that year, select from the qualified electors who are legally registered members of the major political party:

- (a) A nominee to the position of presidential elector; and
- (b) An alternate to the nominee for presidential elector, for each position of presidential elector required by law..."

Nev. Rev. Stat. 298.035 Selection of nominees and alternates for presidential elector. (Nevada Revised Statutes (2015 Edition))

"Right to vote; qualifications of elector; qualifications of nonelector to vote for President and Vice President of United States. All citizens of the United States (not laboring under the disabilities named in this constitution) of the age of eighteen years and upwards, who shall have actually, and not constructively, resided in the state six months, and in the district or county thirty days next preceding any election, shall be entitled to vote for all officers that now or hereafter may be elected by the people, and upon all questions submitted to the electors at such election; provided, that no person who has been or may be convicted of treason or felony in any state or territory of the United States, unless restored to civil rights, and no person who has been adjudicated mentally incompetent, unless restored to legal capacity, shall be entitled to the privilege of an elector. There shall be no denial of the elective franchise at any election on account of sex. The legislature may provide by law the conditions under which a citizen of the United States who does not have the status of an elector in another state and who does not meet the residence requirements of this section may vote in this state for President and Vice President of the United States.""

Nev. Const. Art II, Sec. 1

"Nevada's six (6) members to the Electoral College shall be nominated by the Chair of the Nevada State Democratic Party and confirmed by the convention delegates." Art. X, sec. a., Rules of the 2016 Nevada State Democratic Convention, p. 5.

[THE RULES DO NOT APPEAR TO LIMIT THE CANDIDATES FOR PRESIDENTIAL ELECTOR TO ANY PARTICULAR CONGRESSIONAL DISTRICT OR AREA OF THE STATE.]

Elector Name	Violation
Dayananda Prabhu Rachakonda	Registered Republican

New Hampshire

Residency Requirement

No statutory requirement or no violation.

Dual-Office Holding Statute

"No person shall be capable of exercising, at the same time more than one of the following offices within this state, viz. judge of probate, sheriff, register of deeds; and never more than two offices of profit, which may be held by appointment of the governor, or governor and council, or senate and house of representatives, or superior or inferior courts; military offices, and offices of justice of the peace excepted.

N.H. Const. Pt. SECOND, Art. 94

No person holding the office of judge of any court, (except special judges) secretary, treasurer of the state, attorney-general, register of deeds, sheriff, collectors of state and federal taxes, members of Congress or any person holding any office under the United States, including any person in active military service, shall at the same time hold the office of governor, or have a seat in the senate, or house of representatives, or council; but his being chosen and appointed to, and accepting the same, shall operate as a resignation of his seat in the chair, senate, or house of representatives, or council; and the place so vacated shall be filled up. No member of the council shall have a seat in the senate or house of representatives.

N.H. Const. Pt. SECOND, Art. 95

Elector Name	Violation
Carol Shea Porter	NH State Representative

New Jersey

Residency Requirement

No statutory requirement or no violation.

Dual-Office Holding Statute

"No person shall hold at the same time more than one of the following offices: elector of President and Vice-President of the United States, member of the United States Senate, member of the House of Representatives of the United States, member of the Senate or of the General Assembly of this State, county clerk, register, surrogate or sheriff. No person shall hold the office of member of the Senate or the General Assembly of this State and, at the same time, hold any other elective public office in this State, except that any person who holds the office of member of the Senate or the General Assembly and, at the same time, holds any other elective public office on the effective date of P.L.2007, c.161 may continue to hold that office of member of the Senate or that office of member of the General Assembly, and may hold that other elective public office at the same time if service in the Senate or the General Assembly and the other elective office are continuous following the effective date of P.L.2007, c.161.

No person shall be elected an elector of President and Vice-President of the United States unless he shall possess the qualifications of a legal voter of the State, shall be of the age of 25 years or upwards and shall have been a citizen of the United States seven years next preceding such election. No person shall be elected a member of the House of Representatives, or an elector of President and Vice-President who shall hold any office of trust or profit under the United States." NJSA 19:3-5 Incompatible offices, prohibition; qualifications for certain elected offices. (New Jersey Statutes (2016 Edition))

(1) It shall be unlawful for a person to hold simultaneously an elective county office and an elective municipal office.

(2) It shall be lawful for a member of the Legislature of the State to hold simultaneously any appointive office or position in county or municipal government.

N.J.S.40A:9-4"

Elector Name	Violation
DEBATABLE: Tahsina Ahmed	Borough of Haledon NJ Council Member

New Mexico

Residency Requirement

No statutory requirement or no violation.

Dual-Office Holding Statute

"No person shall be eligible to serve in the legislature who, at the time of qualifying, holds any office of trust or profit with the state, county or national governments.

N.M. Const. art. IV, § 3(A)

A legislator is not precluded by state law from serving as an elected local school board member because a school board member does not hold a state, county or national government office.

1991 Op. Att'y Gen. No. 1991-2.

Each presidential elector shall be paid per diem for each day's attendance and mileage from his residence to the state capitol and return to his place of residence one time, as provided for state officers in the Per Diem and Mileage Act, and he shall receive no other compensation. Per diem and mileage shall be paid by the state treasurer on warrants drawn by the secretary of finance and administration in accordance with vouchers approved by the presiding officer of the presidential electors.

N.M. Stat. Ann. § 1-15-10 (West)

E. "federal officers" means presidential electors, vice presidential electors, president, vice president, United States senator and United States representative in congress;

N.M. Stat. Ann. § 1-21-2 (West)

I. "presidential officers" means presidential electors, vice presidential electors, president and vice president.

N.M. Stat. Ann. § 1-21-2 (West)"

Elector Name	Violation
DEBATABLE: Edward Torres	Edward Paul Torres is currently serving his second two-year term as Governor for the Pueblo of Isleta. The Pueblo of Isleta works directly with the United States government either through our Congressional delegation or through the U.S. Department of the Interior. At times we also include the APCG and the National Congress of American Indians (NCAI) as well.
Noyola Archibeque	Noyola Archibeque is Office Manager at State of New Mexico in Santa Fe, New Mexico Area Government Administration

New York

Residency Requirement

No statutory requirement or no violation.

Dual-Office Holding Statute

"Every elector of the state who shall attend at any meeting of the electoral college and give his vote at the time and place appointed by law, shall be entitled to receive for his attendance at such election, the sum of fifteen dollars per day, together with thirteen cents per mile each way from his place of residence by the most usual traveled route, to the place of meeting of such electors, to be audited by the comptroller upon the certificate of the secretary of state.

N.Y. Elec. Law § 12-110 (McKinney)

Presidential electors are candidates for election to public office within provisions pertaining to designation and nomination of candidates and acceptance or declination of designation or nomination. Mahoney v. Lomenzo (3 Dept. 1964) 21 A.D.2d 971, 252 N.Y.S.2d 791, appeal granted 14 N.Y.2d 487, 253 N.Y.S.2d 1025, 202 N.E.2d 156, affirmed 14 N.Y.2d 952, 253 N.Y.S.2d 988, 202 N.E.2d 371. United States 244

[THERE DOES NOT APPEAR TO BE A DEFINITIVE DUAL-JOB BAN IN N.Y.]

N.Y. Elec. Law § 6-146 (McKinney)

Elector Name	Violation
ALL ARE DEBATEABLE. Violations would be determined by statutory interpretation.	
Kathy C. Hochul	Lieutenant Governor of New York
Thomas P. DiNapoli	State Comptroller
Carl E. Heastie	NY State Assembly, Speaker
Andrea Stewart-Cousins	NY State Senate
Bill de Blasio	NYC Mayor
Letitia A. James	New York City Public Advocate
Scott M. Stringer	NYC Comptroller
Melissa Mark-Viverito	Speaker of NYC Council
Byron W. Brown	Buffalo Mayor
Lovely A. Warren	Rochester Mayor
Stephanie A. Miner	Syracuse Mayor
Ruben Diaz	NY State Senate

Rhode Island

Residency Requirement

No statutory requirement or no violation.

Dual-Office Holding Statute

"No person holding any office under the government of the United States, or of any other state or country, shall act as a general officer or as a member of the general assembly, unless at the time of taking such engagement that person shall have resigned the office under such government; and if any general officer, senator, representative, or judge shall, after election and engagement, accept any appointment under any other government, the office under this shall be immediately vacated; but this restriction shall not apply to any person appointed to take deposition or acknowledgment of deeds, or other legal instruments, by the authority of any other state or country.

No senator or representative shall, during the time for which he or she was elected, be appointed to any state office, board, commission or other state or quasi-public entity exercising executive power under the laws of this state, and no person holding any executive office or serving as a member of any board, commission or other state or quasi-public entity exercising executive power under the laws of this state shall be a member of the senate or the house of representatives during his or her continuance in such office.***

R.I. Const. Art. III, § 6

The people of the State of Rhode Island believe that public officials and employees must adhere to the highest standards of ethical conduct, respect the public trust and the rights of all persons, be open, accountable and responsive, avoid the appearance of impropriety and not use their position for private gain or advantage. Such persons shall hold their positions during good behavior.

R.I. Const. art. III, § 7

Elector Name	Violation
Grace Diaz	Grace Diaz-Rep (11 Dist) RI House of Rep (2005-date)

Vermont

Residency Requirement

No statutory requirement or no violation.

Dual-Office Holding Statute

""No person in this State shall be capable of holding or exercising more than one of the following offices at the same time: Governor, Lieutenant-Governor, Justice of the Supreme Court, Treasurer of the State, member of the Senate, member of the House of Representatives, Surveyor-General, or Sheriff. Nor shall any person holding any office of profit or trust under the authority of Congress, other than a member of the commissioned or enlisted personnel in the reserve components of the armed forces of the United States while not on extended active duty, be eligible to any appointment in the Legislature, or to any executive or judiciary office under the State.""

Vt. Const. CHII, sec. 54.

""Electors of President and Vice President shall receive for their services, in attending their meetings, the sume of \$10.00 and their actual expenses.""
Vt. Stat. Ann. tit. 32, s. 1221.

""Public office"" means any office in the U.S. government or any of its political subdivisions which is filled by vote of the voters of the State or subdivision.""
Vt. Stat. Ann. tit. 17, s. 2103.

""In presidential election years, presidential electors for major political parties shall be nominated at the party platform convention held pursuant to this title. ...""
Vt. Stat. Ann. tit., section 2721 (West). [I COULD FIND NO OTHER QUALIFICATIONS OR DISQUALIFICATIONS FOR A PRESIDENTIAL ELECTOR OTHER THAN THAT SET FORTH IN THE CONSTITUTIONAL PROVISION SET FORTH ABOVE]

Elector Name	Violation
Tim Jerman	State Representative Chittenden-8-2 since 2004

Virginia

Residency Requirement

No durational residency requirement. Specific elector residency requirements:

"A group of qualified voters, not constituting a political party as defined in § 24.2-101, may have the names of electors selected by them, including one elector residing in each congressional district and two from the Commonwealth at large, printed upon the official ballot to be used in the election of electors for President and Vice President by filing a petition pursuant to this section. The petition shall be filed with the State Board by noon of the seventy-fourth day before the presidential election. The petition shall be signed by at least 5,000 qualified voters and include signatures of at least 200 qualified voters from each congressional district. The petition shall be signed by petitioners on and after January 1 of the year of the presidential election only and contain the residence address of each petitioner. The signature of each petitioner shall be witnessed either by a person who is a constitutionally qualified candidate for President of the United States, who may witness his own petition, or by a person who is a resident of the Commonwealth and who is not a minor or a felon whose voting rights have not been restored and whose affidavit to that effect appears on each page of the petition. The petition shall state the names of the electors selected by the petitioners, the party name under which they desire the named electors to be listed on the ballot, and the names of the candidates for President and Vice President for whom the electors are required to vote in the Electoral College. The persons filing the petition shall file with it a copy of a subscribed and notarized oath by each elector stating that he will, if elected, cast his ballot for the candidates for President and Vice President named in the petition, or as the party may direct in the event of death, withdrawal or disqualification of the party nominee. In order to utilize a selected party name on the ballot, the petitioners shall have had a state central committee composed of registered voters from each congressional district of the Commonwealth, a party plan and bylaws, and a duly designated chairman and secretary in existence and holding office for at least six months prior to filing the petition. The State Board may require proof that the petitioners meet these requirements before permitting use of a party name on the ballot. The party name shall not be identical with or substantially similar to the name of any political party qualifying under § 24.2-101 and then in existence.""

Virginia Code Sec. 24.2-543 How other groups may submit names of electors; oaths of electors. (Virginia Statutes (2016 Edition))

Elector Name	Violation
DEBATABLE: Virginia Peters	CD8. Address not confirmed.

Dual-Office Holding Statute

"No person holding a salaried office under the government of the Commonwealth, and no judge of any court, attorney for the Commonwealth, sheriff, treasurer, assessor of taxes, commissioner of the revenue, collector of taxes, or clerk of any court shall be a member of either house of the General Assembly during his continuance in office; and his qualification as a member shall vacate any such office held by him.***

Va. Const. Art. IV, § 4

[THERE DID NOT APPEAR TO BE ANY STATUTE OR RULE REQUIRING COMPENSATION OF ELECTORS, MUCH LESS SALARIES FOR THEM]

Elector Name	Violation
Delegate Lashrecse Aird	VA State Representative